

REMARKS

Applicant has carefully studied the non-final Examiner's Action mailed June 16, 2005. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Claim Rejections 35 U.S.C. § 112

Applicant acknowledges the quotation of 35 U.S.C § 112 second paragraph.

Claims 1, 2, 4, 6, 8, 10 and 21-28 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Office states that claims 1 and 21 recite the phrase "low-level electric field" and that the specification does not explicitly define "low-level electric field".

Claims 1 and 21 have been amended to more clearly describe that which the applicant regards as the invention. The amendment to the claims defining the electric field as being about 200V/cm or less is supported by the specification at paragraph [0020] in which electric field strengths between 1mV/cm and 200V/cm are applied, with specific examples of 10V/cm, 50V/cm and 100V/cm.

Claim Rejections 35 U.S.C. § 102

Applicant acknowledges the quotation of 35 U.S.C § 102(e).

Claims 1, 2, 6, and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,800,484 B2 to Nolan et al.

Claim 1 has been amended to more clearly describe that which the applicant regards as the invention. In view of the amendment to claim 1, Applicant believes that the invention is not anticipated by Nolan et al. Nolan does not describe the application of a continuous electric field of 200V/cm or less for a duration of between 100ms and 20 minutes.

Claim Rejections 35 U.S.C. § 103

Applicant acknowledges the quotation of 35 U.S.C § 103(a).

Claims 1 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,800,484 B2 to Nolan et al. in view of Mir et al. (PNAS Vol. 96:4262-4267; April 1999).

Claim 1 has been amended to more clearly describe that which the applicant regards as the invention. In view of the amendment to claim 1, Applicant believes that the invention is patentable over Nolan et al., either alone, or in combination with Mir. Nolan does not describe the application of a continuous electric field of 200V/cm or less for a duration of between 100ms and 20 minutes.

Accordingly, currently amended independent claims 1 and 21 are believed to be in condition for allowance. Claims 2, 6, 8 and 10 are dependent upon claim 1, and are therefore allowable as a matter of law. Claims 22 and 24-28 are dependent upon claim 21, and are therefore allowable as a matter of law.

Claims 4 and 23 have been cancelled without traverse.

By cancellation or amendment of these claims, applicants only wish to advance prosecution of the present application. Applicants reserve the right to prosecute one or more subject matter in the original claims in one or more continuation applications and that equivalence to these claims have not been relinquished by these amendments.

If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN



By:

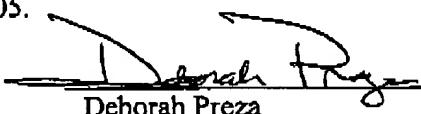
Dated: September 14, 2005

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CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment G is being transmitted by facsimile to the United States Patent and Trademark Office, Technology Center 1600, Art Unit 1635, Attn: Jon E. Angell, (571) 273-8300 on September 14, 2005.

Dated: September 14, 2005


Deborah Preza